

STEVEN H. GURNEE, ESQ. SB# 66056
 JOHN A. MASON, ESQ.
 GURNEE & DANIELS LLP
 2240 Douglas Boulevard, Suite 150
 Roseville, CA 95661-3805
 Telephone (916) 797-3100
 Facsimile (916) 797-3131

Attorneys for Defendants

SERVICE CORPORATION INTERNATIONAL,
 SCI FUNERAL AND CEMETERY PURCHASING
 COOPERATIVE, INC., SCI EASTERN MARKET
 SUPPORT CENTER, L.P. SCI WESTERN MARKET
 SUPPORT CENTER, L.P., SCI HOUSTON MARKET
 SUPPORT CENTER, L.P., JANE D. JONES,
 GWEN PETTEWAY, THOMAS RYAN, CURTIS BRIGGS,
 ALDERWOODS GROUP, INC., and PAUL HOUSTON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CLAUDE BRYANT, et al., on behalf of) **CASE NO. 3:08-CV-01190 SI**
 themselves and all other employees and former) **CASE NO. 3:08-CV-01184 SI**
 employees similarly situated,) **STIPULATION TO FILE DOCUMENT**
) **UNDER SEAL; [PROPOSED] ORDER**

Plaintiffs,

vs.

SERVICE CORPORATION
 INTERNATIONAL et al.

Defendants.

 WILLIAM HELM, DEBORAH PRISE,
 HEATHER P. RADY, et al., on behalf of
 themselves and all other employees and former
 employees similarly situated,

Plaintiffs,

vs.

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER
 Case No.: 3:08-CV-01190 SI;
 Case No.: 3:08-CV-01184 SI

ALDERWOODS GROUP, INC., PAUL A.
 HOUSTON, SERVICE CORPORATION
 INTERNATIONAL, SCI FUNERAL AND
 CEMETERY PURCHASING
 COOPERATIVE, INC., SCI EASTERN
 MARKET SUPPORT CENTER, L.P., SCI
 WESTERN MARKET SUPPORT CENTER,
 L.P., a/k/a SCI WESTERN MARKET
 SUPPORT CENTER, INC., and SCI
 HOUSTON MARKET SUPPORT CENTER,
 L.P.
 Defendants.

STIPULATION

Previously, Plaintiffs and Defendants agreed to, and the Court entered, a Stipulated Protective Order Pursuant to Fed. R. Civ. P. 26(C). (*Bryant* Docket No. 112; *Helm* Docket No. 124). That Protective Order, *inter alia*, set out a procedure permitting parties to designate certain discovery materials "CONFIDENTIAL." In response to discovery demands in this case, Defendants have designated certain documents "CONFIDENTIAL" pursuant to the Protective Order, and Plaintiffs have not currently challenged some of those designations.

Pursuant to Civil Local Rules 79-5 and 7-12, Plaintiffs and Defendants in these matters, through their undersigned counsel, hereby stipulate that in submitting Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL":

1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as "CONFIDENTIAL"
2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER
 Case No.: 3:08-CV-01190 SI;
 Case No.: 3:08-CV-01184 SI

Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes from materials Defendants have designated as "CONFIDENTIAL"

AGREED TO:

/s/Annette Gifford

Annette Gifford
Thomas & Solomon LLP
693 East Avenue
Rochester, New York 14607
Telephone: (585) 272-0540

Attorneys for Plaintiffs

/s/Nicholas P. Forestiere

Nicholas P. Forestiere
Gurnee & Daniels LLP
2240 Douglas Blvd., Suite 150
Roseville, CA 95661
Telephone: (916) 797-3100

Attorneys for Defendants

ORDER

Pursuant to the Stipulation of counsel and good cause appearing, the Court hereby orders that, in submitting Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL" by Defendants:

1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as "CONFIDENTIAL"
2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes from materials Defendants have designated as "CONFIDENTIAL"

IT IS SO ORDERED:



Honorable Susan Illston
United States District Court

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER

Case No.: 3:08-CV-01190 SI;

Case No.: 3:08-CV-01184 SI